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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,336	01/16/2001	Uri Zemik	SFTO0002	7527
22862	7590	10/05/2005	EXAMINER	
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			KE, PENG	
			ART UNIT	PAPER NUMBER

2174

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/764,336

Applicant(s)

ZERNIK ET AL.

Examiner

Peng Ke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-17,20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) 22-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-17,20 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) .  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

1. This action is responsive to communications: Amendment, filed on 6/16/05.
2. Claims 1, 3-17, and 20-21 are pending in this application. Claims 1, 11, 12, 13, 20, and 21 are independent claims. In the Amendment, filed on 6/16/05, claims 13, 20, and 21 were amended.

### ***Claim Rejections – 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1, 3-8, 10-13, 15-17, 20, and 21 are rejected under 35 U.S.C. 102(a) as being anticipated by Leshem et al. (US 5,870,559).

As per claim 1, Leshem et al. teaches A method of presenting a search result comprising:  
determining categories for found information by analyzing the content of the information  
(col. 18, lines 22-45);

correlating the categories with images that represent the categories (col. 9, lines 56-68;  
Examiner interprets different type to be different categories); and

displaying images that correspond to the categories (col. 9, lines 56-68, Examiner  
interprets icons to be a image);

wherein images corresponding to the found information are displayed when a user  
activates one of the categories (col. 10, lines 15-36, col. 16, lines 35-48).

As per claim 3, Leshem et al. teaches A method of presenting a search result as recited in claim 1, wherein the user activates one of the categories by dragging a cursor over the image that corresponds to the category (col. 16, lines 26-48).

As per claim 4, Leshem et al. teaches A method of presenting a search result as recited in claim 1 wherein 20 the display is a grid (fig. 4, item 80).

As per claim 5, Leshem et al. teaches a method of presenting a search result as recited in claim 1, wherein the information includes a plurality of web sites (col. 16, lines 26-48).

As per claim 6, Leshem et al. teaches a method of presenting a search result as recited in claim 5, further including providing a rotating display of content from the web sites (fig. 18, item 30).

As per claim 7, Leshem et al. teaches a method of presenting a search result as recited in claim 5, further including providing a video display of content from the web sites (col. 10, lines 1-15).

As per claim 8, Leshem et al. teaches a method of presenting a search result as recited in claim 5, further including rating each web site according to whether the web site includes image content that is relevant to textual content on the web site (col. 16, lines 26-48).

As per claim 10, Leshem et al. teaches a method of presenting a search result as recited in claim 6, wherein dynamically displaying content from the web sites includes showing representative images from the web site that correspond to textual content in the web site (col. 16, lines 26-48).

As per claim 11, it is rejected with the same rationale as claim 1. (see rejection above)

As per claim 12, it is rejected with the same rationale as claim 1. (see rejection above)

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As per claim 13, Leshem et al. teaches a method of presenting information comprising:  
analyzing textual content of the information (col. 18, lines 22-45);  
generating a signature based on textual content (col. 9, lines 56-68; Examiner interprets different type to be different textual content);  
associating the textual content with image content according to said signature (col. 9, lines 56-68, Examiner interprets icons to be a image); and  
displaying the image content to illustrate the information (col. 10, lines 15-36, col. 16, lines 35-48).

As per claim 15, Leshem et al. teaches a method of presenting information as recited in claim 13, wherein the image content is not included in the information (col. 9, lines 54-68, col. 10, lines 1-15).

As per claim 16, Leshem et al. teaches a method of presenting information as recited in claim 13, wherein metadata associated with the image content is correlated with the textual content according to said signature to determine the image content that is associated with the textual content (col. 10, lines 15-36, col. 16, lines 35-48).

As per claim 17, Leshem et al. teaches a method of presenting information as recited in claim 13, wherein the information includes a web site (fig. 14. item 196).

As per claim 20, it rejected with the same rationale as claim 13. (see rejection above)

As per claim 21, it rejected with the same rationale as claim 13. (see rejection above)

*Claim Rejections – 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leshem et al. (US 5,870,559) in view of Yamamoto et al. (US 6,467,026).

As per claim 9, Leshem et al. fails to teach a method of presenting a search result as recited in claim 1, wherein the information includes information stored on a DVD.

Yamamoto et al. teaches a method of presenting a search result as recited in claim 1, wherein the information includes information stored on a DVD (col. 9, lines 27-40)

It would have been obvious to an artisan at the time of the invention to include Yamamoto et al.'s teaching with Leshem et al.'s method in order to allow the data to be permanently stored.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leshem et al. (US 5,870,559) in view of Horvitz et al. (US 6,085,226).

As per claim 14, Leshem fails to teach a method of presenting information as recited in claim 13, wherein the image content is included in the information.

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Horvitz teaches a method of presenting information as recited in claim 13, wherein the image content is included in the information (Fig. 15A)

It would have been obvious to an artisan at the time of the invention to include Horvitz et al. teaching with Leshem et al.'s method in order to provide user with a preview of the search results.

### *Response to Argument*

Applicant's arguments filed on 8/09/04 have been fully considered but they are not persuasive.

Applicant's arguments focused on the following:

A) Leshem fails to teach determining categories from found information by analyzing the content of the information.

Examiner disagrees.

A) Examiner interprets file information such as a file extension that indicates the file type to be found information. Therefore Leshem teaches determining categories from found information by analyzing the content of the information. Leshem's application correlates different images of the icons with different types of the data contents (col. 9, lines 55-68), and the correlation requires both analysis of the data content and determination of the data content's category.

B) Applicant argued that type, or format of object is not content of the object.

Examiner disagrees.

B) The type and format is an essential part of the content of an object, because different objects are implemented with different languages. For example, a Video file implemented in a

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different language than a HTML file, and each language has its own data format and data type. Therefore, distinguishing the types of objects is the same as distinguishing the contents of the object.

Furthermore, the term “content” refers strictly to the subjective media data alone rather than the object as a whole, Under MPEP Section 2111.01, examiner has an obligation to read the claims as broadly as possible. In the context of Claim 1, the object is parsed in order to determine a category for the object. Therefore, the entire object is being parsed, not merely the subjective media data in isolation. As currently written, the Claim 1 reads upon categorizing objects not only by subjective media data, but also by objective type and format as well.

Examiner understands the substance of Applicant’s argument regarding the difference between subjective media data versus objective type or format. However, Examiner points out that the limitations that the Applicant relies on are not in the claims. While the claims are read in light of the specification, Examiner may not read the specification into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993)

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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